

*Attorneys for Plaintiffs U.S. Bank, National Association,
as Trustee for GSAA 2006-1 and SunTrust Mortgage, Inc.*

DISTRICT OF NEVADA

Defendants.

**STIPULATION AND ORDER TO EXTEND
DISPOSITIVE MOTION DEADLINE,
LIMITED EXTENSION OF THE
DISCOVERY DEADLINE AND TO
AMEND SCHEDULING ORDER [ECF NO.
30]
(SECOND REQUEST)**

- 1 -

1 **A. BACKGROUND STATEMENT AND COMPLETED DISCOVERY:**

2 Plaintiffs filed their Complaint on May 10, 2017 in the United States District Court for the
3 District of Nevada. On September 12, 2017, the Court entered its initial scheduling order in this case.
4 (ECF No. 30.) Plaintiffs retained new counsel in this matter and filed the Substitution of Counsel on
5 February 12, 2018, necessitating the first request for extension so that new counsel could have time
6 to review the matter. Since that date, the parties have actively engaged in discovery, as described
7 below. This is the second request for an extension of the discovery deadlines, which is limited to a
8 request for an additional ninety (90) days (approximate) from the present discovery cut-off date of
9 May 11, 2017 solely for the purpose of taking Plaintiffs' 30(b)(6) depositions and to conduct limited
10 written discovery directed to Plaintiffs' claims.

11 The following discovery has been completed:

12 Plaintiffs served initial disclosures on September 7, 2017.

13 Defendant SFR served initial disclosures on September 6, 2017.

14 Defendant San Marino served initial disclosures on September 26, 2017.

15 Plaintiffs served its Second Supplemental Disclosures on May 11, 2018 and its Third
16 Supplemental Disclosures on May 14, 2018.

17 Defendant San Marino has served Plaintiffs with interrogatories, request for production and
18 request for admission ("San Marino Discovery Requests") on November 7, 2017. Plaintiffs have
19 responded to the San Marino Discovery Requests.

20 Defendant/Counterclaimant SFR served US Bank and SunTrust with interrogatories, request
21 for production and request for admission ("SFR Discovery Requests") on February 7, 2018. US
22 Bank and SunTrust responded to the SFR Discovery Requests

23 Defendant/Counterclaimant SFR have agreed to take the Rule 30(b)(6) Depositions of
24 Plaintiffs on June 28, 2018. This was the date that was mutually agreeable to the parties, including
25 Plaintiff's out of state deponents.

26 **B. DESCRIPTION OF DISCOVERY TO BE COMPLETED:**

27 At this point, the only discovery that needs to be completed is the 30(b)(6) depositions of
28 Plaintiffs, which are going forward on June 28, 2018, and limited written discovery regarding the

1 Plaintiffs' claims. As such, the parties request a ninety (90) day (approximate) extension of the
2 discovery deadline for the limited purpose of taking Plaintiffs' 30(b)(6) depositions. All other
3 discovery has been completed.

4 **C. REASONS WHY REMAINING DISCOVERY WAS NOT COMPLETED AND**
5 **EXTENSION OF DISPOSITIVE MOTION DEADLINE IS NECESSARY:**

6 As explained above, this extension is for the limited purpose of taking the Rule 30(b)(6)
7 depositions of Plaintiffs and conducting limited written discovery to Plaintiffs related to their claims.
8 Good cause exists to extend the deadlines because Plaintiffs' witnesses are out-of-state and counsel
9 for all parties have to coordinate schedules. The failure to extend the discovery deadline prior to the
10 close of discovery is due to excusable neglect, as the parties were previously unable to come to an
11 agreeable deposition date that worked with all parties' schedules. However, that has since changed
12 and all parties are now available on June 28, 2018.

13 As the only agreeable date for the deposition that works for all parties and witnesses is June
14 28, 2018, it is necessary to extend the current dispositive motion deadline of June 8, 2018 by
15 approximately 90 days. Good cause exists to extend the dispositive motion deadline because the
16 parties wish to have this case decided on its merits with all parties having the information necessary
17 to prove their positions. This will not prejudice any party, nor will it have any effect on any of the
18 other deadlines. This request is not made in bad faith or for purposes of undue delay.

19 **D. PROPOSED SCHEDULE FOR COMPLETING ALL REMAINING**
20 **DISCOVERY:**

21 The parties agree that an additional 60 days from today's date is required to complete
22 discovery, and an additional 100 days is required to complete dispositive motions:

23 1. **Close of Discovery:**

24 Current Deadline – May 11, 2018

25 Proposed Deadline – **August 7, 2018**

26 2. **Dispositive Motion Deadline:**

27 Current Deadline – June 8, 2018

28 Proposed Deadline – **September 6, 2018**

1 3. **Pretrial Order:**

2 Current Deadline – July 6, 2018

3 Proposed Deadline – **October 6, 2018**

4 In the event that dispositive motions are filed, the date for filing the Joint Pretrial Order shall be
5 suspended and should be filed thirty (30) days after the decision on the dispositive motions or until
6 further order of the Court. This request is not brought for the purpose of undue delay.

7 Dated June 8, 2018

 Dated June 8, 2018

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21 Dated June 8, 2018

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29 **IT IS SO ORDERED:**

30 
31 UNITED STATES MAGISTRATE JUDGE

32 DATED: 6/11/2018